

MARTINEZ MINOR SUBDIVISION FILING No. 2
A Resubdivision of Martinez Minor Subdivision Filing No. 1
A Portion of the NE ¼ of Section 34, T. 3 S., R. 67 W. of the 6th P.M.
City of Aurora, County of Adams, State of Colorado
SHEET 1 OF 2

Legal Description and Dedication:

KNOW ALL PEOPLE BY THESE PRESENTS that the undersigned warrant they are the owners of parcels of land being both Lots 1 and 2, Block 1 of Martinez Minor Subdivision Filing No. 1, recorded in the Adams County Clerk and Recorder's Office records on February 24, 2020 at Instrument No. 2020000017331, being situated in the Northeast Quarter (NE¼) of Section 34, Township 3 South, Range 67 West of the 6th Principal Meridian, City of Aurora, County of Adams, State of Colorado, said parcels being more particularly described as follows:

Commencing at a point of intersection of the south line of said NE¼ with the southerly extension of the east line of Block 47 as platted by New England Heights, recorded at Reception No. 2010000003090 of said records, from which the southeast corner of said NE¼ bears S 89°57'05" E, 372.66 feet; thence along said southerly extension N 00°00'03" E, 40.00 feet to the southeast corner of Lot 2, Block 1 of said Filing No. 1, also being the point of intersection with the northerly right-of-way line of Montview Boulevard, as established by City of Aurora Ordinance No. 511 recorded January 24, 1964 in Book 1127 at Page 36 in the Adams County Clerk and Recorder's Office, and being the True Point of Beginning of the parcel described herein; thence continuing N 00°00'03" E along said east line of Block 47, also being the east line of said Lot 2, Block 1, 99.52 feet to the northeast corner of Lot 2, Block 1 of said Filing No.1; thence S 89°57'28" W along the north line of said Lots 1 and 2, Block 1 of said Filing No. 1, 127.06 feet to the northwest corner of Lot 1, Block 1 of said Filing No.1; thence S 00°00'35" W along the west line of Lot 1, Block 1 of said Filing No. 1, 99.32 feet to the southwest corner of Lot 1, Block 1 of said Filing No.1, also being a point of intersection with said northerly right-of-way line of Montview Boulevard; thence S 89°27'05" E along the south line of Lots 1 and 2, Block 1 of said Filing No. 1, 127.07 feet to the True Point of Beginning. Containing 12,632 square feet or 0.29 acres, more or less.

Have laid out, platted, and subdivided the same into Lot and Block as shown on this plat under the name and style of Martinez Minor Subdivision Filing No. 2,"and by these presents do hereby dedicate to the City of Aurora, Colorado, for the perpetual use of the public the streets and easements as shown hereon and not previously dedicated to the public.

COVENANTS:

The undersigned owners for themselves, their heirs, successors and assigns (collectively hereafter "Owner"), covenant and agree with the City of Aurora ("City");

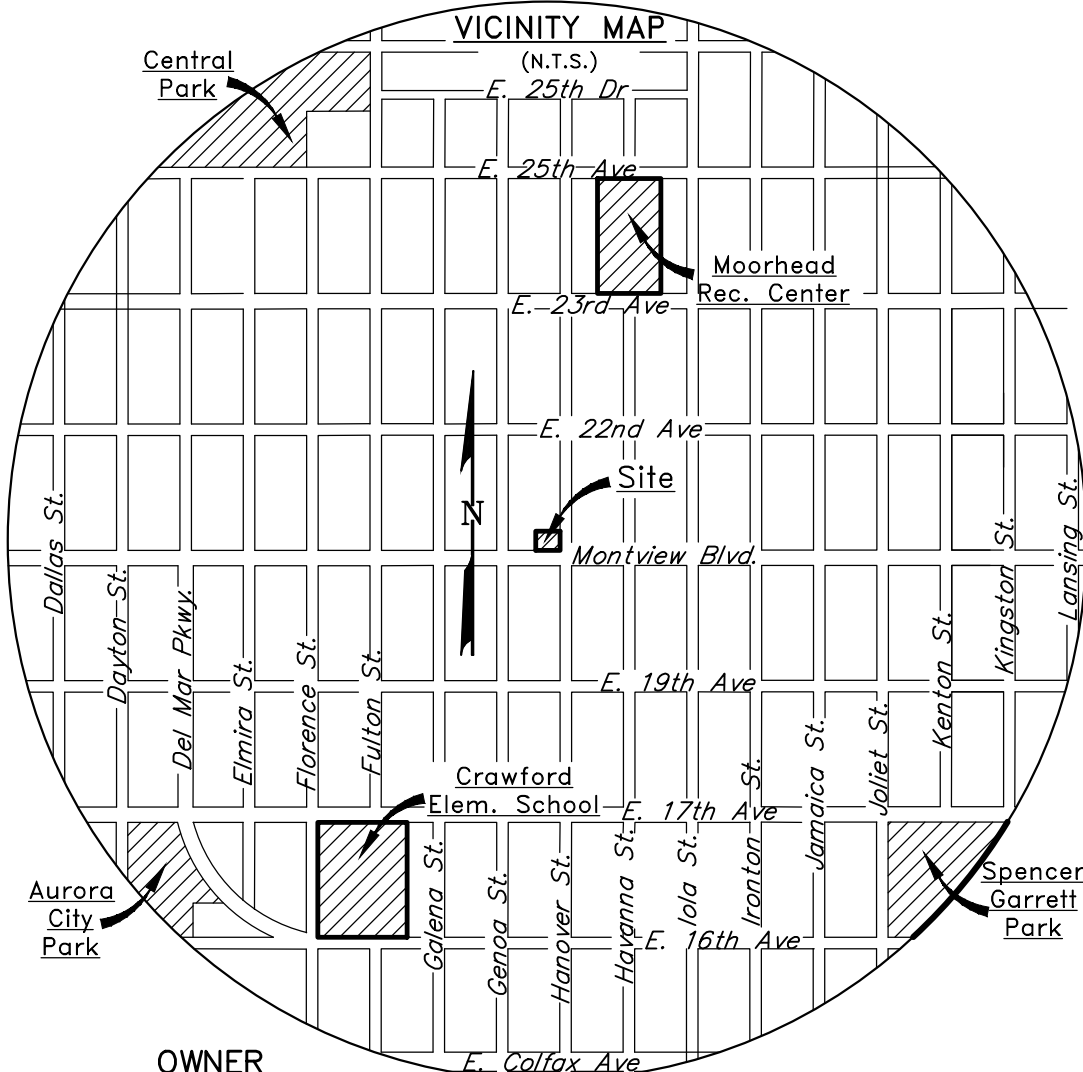
All covenants, conditions and restrictions established by the plat of Martinez Minor Subdivision Filing No. 1 shall remain in force with this plat.

No structure constructed on any portion of platted land shown herein shall be occupied or used unless and until all public improvements, as defined by Chapter 146 of the City Code of Aurora, Colorado, are in place and accepted by the City or cash funds or other security for the same are escrowed with the City of Aurora and a Certificate of Occupancy has been issued by the City;

All electrical, community utility lines and services, and street lighting circuits, except as provided in Section 126-505 of the City Code as the same may be amended from time to time, shall be installed underground;

All crossings or encroachments, including but not limited, to private landscape irrigation systems, underdrains, or private utilities into easements owned by the City of Aurora are acknowledged by the undersigned as being subject to the City of Aurora's use and occupancy of said easements and rights-of-way. The undersigned, their successors and assigns, hereby agree to indemnify and hold harmless the City of Aurora for any loss, damage, or repair to private landscape irrigation systems, underdrains, or private utilities that may result from the City of Aurora's use and occupancy or exercise of its rights in said easements and rights of way. The undersigned, its successors and assigns, further agrees to remove, repair, replace, relocate, modify, or otherwise adjust said private landscape irrigation systems, underdrains, private detention pond and drainage features, or private utilities upon request from the City of Aurora and at no expense to the City of Aurora.

The area(s) labeled as "UTILITY EASEMENT" hereon depict easement(s) hereby dedicated by the Owner to the City for use by public utility companies authorized in writing by the City for provision of services required or ordinarily performed within the UTILITY EASEMENT by third party public utility providers of electric, television, cable, telecommunication facilities, and other public utilities to survey, install, construct, reconstruct, relocate, replace, maintain, enlarge, upgrade, repair, use, operate, patrol, control, improve, test, inspect or remove at any time and from time to time as may be useful to, or required by City, any and all pipes, casings, wires, conduit, culverts, valves, ventilators, manholes, equipment, or material and any other appurtenances necessary , and to make any cuts and fills in the earth needed only in, on, under, through, over and across the "UTILITY EASEMENT" for one or more public utility improvements including all things deemed by the City, in its sole discretion, to be necessary or convenient for the operation of such public utility. The authorized public utility shall maintain said improvements installed by the public utility within, across, under or upon the UTILITY EASEMENT. However, the City shall have the perpetual right, but not obligation, to cut, trim, control and remove trees, brush, and other obstructions which injure or interfere with the City's or authorized public utility's improvements, use, occupation or enjoyment of the UTILITY EASEMENT, or their rights in the UTILITY EASEMENT, without liability to the City for damages arising therefrom.



OWNER

Orlando Martinez (as to Lot 2, Block 1):

Signature _____

Print Name _____

NOTARIAL

State of Colorado)
County of Adams) SS

The foregoing instrument was acknowledged before me on

this _____ Day of _____, 20____ AD

By: _____

As: _____

Witness my hand and official seal:

Notary Public: _____

My commission expires:: _____

OWNER

Orlando Martinez Revocable Living Trust (as to Lot 1, Block 1):

Signature _____

Print Name _____

NOTARIAL

State of Colorado)
County of Adams) SS

The foregoing instrument was acknowledged before me on

this _____ Day of _____, 20____ AD

By: _____

As: _____

Witness my hand and official seal:

Notary Public: _____

My commission expires:: _____

NOTES

1.) In preparing this survey, the undersigned surveyor relied upon title and easement research developed within the First American Title Insurance Commitment No. _____, dated _____. No independent record search was made.

2.) Certification Defined: The use of the word "certify" or "certification" by a registered professional surveyor, in the practice of land surveying, constitutes an expression of professional opinion regarding those facts of findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

3.) Notice: According to Colorado law you must commence any legal action based on any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

4.) The U.S. Survey Foot was used in the measurements of this survey.

5.) Bearings are based on the assumed bearing of N 89°57'05" W along the south line of the NE¼ of Section 34, Township 3 South, Range 67 West of the 6th P.M. being monumented at the east end of the south line with a 3" illegible brass cap in a land corner box and at the west end of the south line with a 3¾" illegible brass cap in a land corner box.

6.) Right-of-way for ingress and egress for service and emergency vehicles is granted over, across, on, and through any and all private roads, ways, and fire lanes now or hereafter established on the described property. The same are hereby designated as fire lanes and emergency and service vehicle roads and shall be posted "No Parking-Fire Lane."

7.) The easement area within each Lot or Tract is to be continuously maintained by the owner of the Lot or Tract excepting the City of Aurora from such responsibility. Any structures inconsistent with the use granted in the easement are prohibited.

8.) The easement hereon shown and labeled 6' Gas Easement is for the exclusive use as gas easement; except other utilities, service walks, and driveways may cross said easements at substantially right angles.

9.) All owners of Lots or Tracts adjacent to Montview Blvd. and Hanover St. shall be required to comply with requirements of the Aurora City Code restricting the ability to build a fence along those streets and the types and sizes of fences that can be built along those streets.

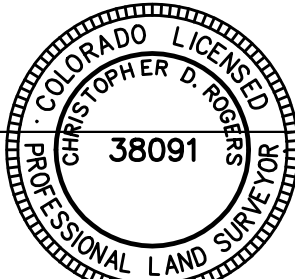
10.) The found Pin & Caps L.S. No. 37971 at the Southwest and Southeast corners of Block 1 (as shown and defined on Sheet 2 of 2) near Montview Blvd.'s north right-of-way line were not accepted as they were set based on the north-south positions of the #5 & #4 Rebar range points in the Centerline of Hanover & Geneva Sts., respectfully. These range point rebar were found to be north (as defined on Sheet 2 of 2) of the south line of said NE¼ of Section 34. New Pin & Cap L.S. No. 38091 could not be properly set account of interference of the above found Pin & Caps.

SURVEYOR'S CERTIFICATE

I, Christopher D. Rogers, a registered professional land surveyor in the State of Colorado do hereby certify that I was in responsible charge of the survey work used in the preparation of this plat; the positions of the platted points shown hereon have an accuracy of not less than 1:10,000 feet prior to adjustments; and that all boundary monuments and control corners shown hereon were in place as described on September 10, 2024.

I further certify that the information contained herein is accurate and in accordance with applicable standards of practice to my knowledge, information and belief. This certification is not a guaranty or warranty either expressed or implied.

Christopher D. Rogers, L.S. No. 38091



Not Valid Without
Signature And Date

CITY OF AURORA APPROVALS

The foregoing instrument is approved for filing and conveyance of streets and easements as shown hereon and is accepted by the City of Aurora, Colorado,

this _____ Day of _____, 20____ AD, subject to the condition that the City shall undertake maintenance of any such streets only after construction has been completed by the subdivider to City of Aurora specifications,

City Engineer: _____ Date: _____

Planning Director: _____ Date: _____

AEGIS Surveying, Inc.
PROFESSIONAL LAND SURVEYING CONSULTANTS
3395 Yates Street Denver, Colorado 80212 (303)477-9319

SHEET 2 OF 2

